

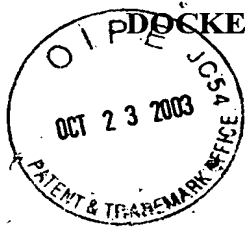
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10-24-03

1645

PATENT

Bakscg



DOCKET NO.: HER-0050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of:

Kuhner et.al.

Confirmation No.: 9997

TECH CENTER 1600/2900

Application No.: 09/882,781

Group Art Unit: 1645

Filing Date: June 15, 2001

Examiner: Navarro, Albert Mark

For: **CHEMICALLY-MODIFIED PEPTIDES, COMPOSITIONS AND METHODS OF PRODUCTION AND USE**

EXPRESS MAIL LABEL NO: EV251290041US

DATE OF DEPOSIT: October 23, 2003

EV251290041US

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE COMMUNICATION DATED SEPTEMBER 23, 2003
ADVISING THAT APPLICANTS' RESPONSE FILED JULY 3, 2003 IS NOT FULLY
RESPONSIVE TO THE NOTICE TO COMPLY MAILED JUNE 3, 2003**

In response to the "Office Communication dated September 23, 2003 advising that Applicants' Response filed July 3, 2003 is not fully responsive to the Notice to Comply dated June 3, 2003" dated **September 23, 2003**, a response to which is due **October 23, 2003**, enclosed herewith is:

- ☒ Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;
- ☒ Substitute pages of the Sequence Listing;
- ☒ Substitute copy of the computer readable form of amended Sequence Listing;
- ☒ Amendment Directing Entry of Sequence Listing into Specification is attached;

- ☒ Copy of Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
- ☐ Other:
- ☐ Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application of _____ to and through _____, comprising an extension of the shortened period of _____ months:

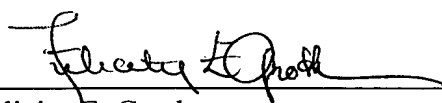
	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1005	\$	\$2010	\$
TOTAL FEE DUE		\$0		\$0

Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR §1.207.

Total fee required **\$0.00**

- ☐ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Date: October 23, 2003


 Felicity E. Groth
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O I P E
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,781	06/15/2001	Carla H. Kuhner	HER-0050	9997

7590 09/23/2003
Patrick J. Farley, Ph.D.
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103

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SEP 26 2003

Woodcock Washburn

EXAMINER

NAVARRO, ALBERT MARK

ART UNIT PAPER NUMBER

1645

DATE MAILED: 09/23/2003

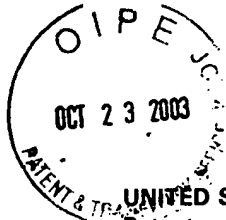
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Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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Washington, D.C. 20231

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	20

DATE MAILED:


Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The reply filed July 2, 2003 is not fully responsive to the communication mailed June 3, 2003.

Applicants were reminded that all sequences of 4 amino acids or larger must have an appropriate SEQ ID tag. The Examiner has not made an attempt to identify each and every sequence within the specification that does not have an appropriate tag. However, page 56, line 12 recites an amino acid sequence of 4 amino acids or larger, without an appropriate SEQ ID tag. Applicant is required to identify all sequences within their own specification that must comply with the SEQ ID requirements. Applicants may not assume that this specifically cited example is the only deficiency.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).


Mark Navarro

Primary Examiner

September 21, 2003

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TECH CENTER 1600/2900



Application No.: 09/882,781

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s)

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: SEE ATTACHED

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE